

Planning Commission Meeting
Regular Meeting, Nolensville Town Hall
August 12, 2004
7:00 P.M.

Member in attendance were as follows: Charles Knapper, Joe Curtsinger, Rick Fisher, Bob Haines, Larry Gardner, James Clark, Rob Pease, Frank Wilson, and Chairman Willis Wells.

Staff present: Richard Woodroof, Dana Ausbrooks, Dave Ausbrooks, and Tonia Smith.

Agenda Item I – Meeting called to order by Chairman Willis Wells

Agenda Item II – Pledge of Allegiance

Agenda Item III – Approval of minutes

Larry Gardner stated that on page 7 under F, should read. Proposed lots adjacent to or abutting an existing development shall be equal to or greater than the minimum lot size of the adjacent development.

Rick Fisher made a motion to approve the amended minutes, seconded by James Clark, passed unanimously.

Agenda IV- Citizen Comments

Larry Felts- 840 Stonebrook Blvd.- stated there are two things on the agenda tonight that concerns me. One is the PUD Development; I think it is important that the Planning Commission make the necessary changes. So it can go before the Board of Mayor and Aldermen so we can approve it. The reason why I make that statement is, the recent development on Sunset. I have some concerns about how the county handles that and the fact that the Planning Commission was not notified, was not asked to be at any of the meeting. I also ask, if at all possible, that we get the chairman of the County Planning Commission here to explain that was come about. My understanding is that the development itself is out of Nolensville there is section next to Brentwood that is 1.8 houses per section. On Nolensville side, closest to the town, is 3.3 houses. That has nothing in our guidelines or ordinance, anywhere close. It is leaving this town with a lot of headaches as far as the upkeep, the police protection, our Fire Department, and the homeowner themselves. I think those items need to be addressed.

Charles Knapper stated that he would be meeting with Rogers Anderson and Joe Horne on Friday, to discuss and express our dissatisfaction regarding that issue. I am not pleased, no more than you are with that. I think it is time that the citizen of Nolensville know exactly what happen with that project.

Larry Felts- 840 Stonebrook Blvd- stated that he would like to add one thing to what he just said. I would like to make a recommendation to this board, however it comes out

with the OSD/PUD, and a copy of that to be sent to the Franklin Planning Commission. That way, they will be aware of what we are trying to do in the Town of Nolensville. Hopefully, it will keep them from doing a stunt like this again.

Richard Woodroof stated I think what has happen is that the density that they ended up with on the preliminary plat, that was approve from the county, the density was way less than that. It is 1.4 on the western side and 2.0 on the eastern side.

Agenda Item V- New Business

A.) Bent Creek Phase 1, Final PUD Plan

Richard Woodroof stated this is the Final PUD Plan. Bill and I spoke with Eric last Friday, it appears they have all their information. Eric and Mike are here to go through it piece by piece.

Mike Delviziis stated that he and Eric McNeely are here to clarify any question.

Eric McNeely stated that each of you have a packet with items that Bill Terry suggested to have to make up this final PUD plan. We met with Bill Terry, the Attorney, and the developer, we came up with a set of conditions that we thought would be the easiest way to demonstrate that we are meeting the final PUD requirements set forth in the zoning ordinance. I handed out a piece of paper with a list with bullets on it that basically each of these bullets is a component of the Final PUD Plan.

The first one you would like to see how it would be platted. The plat would show phase 1, section 1, phase 1, section 2a, 2b, 3a, 3b, 4a, and 4b. On this over all plat plan, we show all the open space and the right-of-way areas.

Joe Curtsinger stated that part of the plan submitted before showed the rerouting of Sam Donald Road and these are showing the right-of-way on the other access road. Have you included that in this plat?

Mike Delviziis stated it is not of the phase 1 platting at this point. It is represented on the drawing in approximate fashion. I mentioned in last month meeting, we would be scheduling a meeting with Gillian and the staff to get information back from the town with regards to her latest recommendations. We need to know what those details are so we can incorporate in to the final design.

Joe Curtsinger stated his concern is calling it a Final Plat with that not being designed. Eric McNeely stated this is an over all plat plan. We are basically showing you the areas that will be platted on phase 1 sections.

Richard Woodroof stated that this is not a condition for the Final PUD Plan. The road still has to be in before any building permits are issued.

Joe Curtsinger stated I think that the record should be noted that no matter what is passed on this that the highway is not represented.

Larry Gardner asked what is the total number of lots for this section?

Mike Delviziis stated that what has been designed is 165. We understand that your condition is a 154 for phase 1. What is being presented right now is phase 1, section 1. We have likewise submitted the phase 1 section 2a, 3a, and 4a. Staff is reviewing it. We know we will not get a plat approval for the 154 lots unless the roads are constructed. That is a condition with developers.

Charles Knapper stated that Daniel Span for Fischbach Transportation just walked in and he would give us a quick presentation.

Daniel Span gave a presentation on the recommendation that was sent on July 14.

Charles Knapper stated that we would look at these three alignments at the next workshop. What we see on this map tonight does not necessarily represented where that alignments will be.

Eric McNeely continued with Mr. Terry's conditions. He asked us to provide staff with tree inventory plan. What we did, we came up with the required tree amount per the zoning regulation. We are over the required density requirements and these tables are provided on the plans.

The next plan Mr. Terry asked us to provide was the pedestrian access. On phase 1, section 1 we have an integrated sidewalk systems that connects to the pedestrian trail and we have a stub-out for the commercial area. Basically we are showing where the sidewalk will be going for this stage.

The next component is a typical lot-landscaping plan and it was submitted in your packets. What we are doing is, the developer has a homebuilder for phase 1, section 1. The homebuilder knows the conditions that where set fourth when the PUD was approved. Those plans are in your packets.

The next component is detailed house elevations and proposed community pavilion. We have provided them in the packet and Rich has the color copy if you would like to review them.

The last component was boulevard entrance on how we were planning on putting in walls and landscaping. We also provided that in your packet.

Richard Woodroof stated that the declaration of covenants had some blanks on it. Did you fill the blanks?

Eric Neely stated that they did and he had given it to the attorneys.

Frank Wilson asked is this covenant included in this? I am not happy with the building materials on page 11.

Bill Coates stated that this is a draft. We were just giving you an example of this document. This will be modified.

Richard Woodroof stated staff recommendation is for approval with condition of submitted amended covenants.

Frank Wilson made a motion to approve with condition of submitting amended covenants with staff approval. Larry Gardner seconded the motion.

Bob Haines stated he had some concerns with the common area.

Charles Knapper stated that whatever comments or concerns you have regarding these covenants; submit them to the attorney for their comments. We will bring it back to this board to vote on.

Charles Knapper made a motion to amend the covenants, with the attorney's approval, and bring it back for the board approval. Rick Fisher seconded the motion. Rob Pease abstained from the motion and it was passed with eight votes (Charles F. Knapper, Bob Haines, Joe Curtsinger, Frank Wilson, James Clark, Rick Fisher, Larry Gardner, and Willis Wells).

B.) Bent Creek Phase 1, Section 1 Final Plat

Richard Woodroof stated that this is the Final Plat for Phase 1 Section 1. In last month's meeting, it was tabled. The houses will face the road or the back creek; it will be an alley driveway. They have applied an additional 5^{ft} right-of-way to Clovercroft Road.

Staff recommendation was for approval on Phase 1 Section 1.

Rick Fisher made a motion to approve Phase 1, Section 1, Final Plat. Frank Wilson seconded the motion. Rob Pease stated that he was abstaining from the motion. The motion was passed with eight votes (Charles F. Knapper, Bob Haines, Joe Curtsinger, Frank Wilson, James Clark, Rick Fisher, Larry Gardner, and Willis Wells).

C.) Chilvers Building Site Plan

Richard Woodroof stated that this issue was with Lot 43, Section 3, it is a commercial building. In last months meeting they asked to be deferred. Ryan Workman with Alley and Associates is here to discuss it with you.

Ryan Workman stated that this building will be a steel building and will be 90 percent warehousing/10 percent office.

Richard Woodroof stated that on the plans, it shows a 2-inch waterline. We feel it should be 6-inches because of the additional building in the back.

Rick Fisher stated that number seven reads: The developer wishes to use rollout containers that can be stored inside each lease space. Will he require each tenant to pull the dumpster in after they have been dumped?

Ryan Workman stated that it was his understanding from him.

Staff recommendation is approval with condition of installing a 6-inch waterline.

Bob Haines made the motion to approve with condition of installing a 6-inch waterline. Charles Knapper seconded to motion and the motion was passed unanimously.

D.) Two Way Car Wash

Richard Woodroof stated that they went before the Board of Zoning and Appeals on Tuesday night. The board approved the car wash to be a conditional use in the commercial service zone. The variance on the 7-foot wide buffer in the parking area between the two lots was granted. The 5-foot buffer on the eastern building of the parking was granted also. A variance was also given to omit the 6-foot to 8-foot wall on the three sides of the property.

Rick Fisher stated that he did not have a response in his packet. Were all the conditions taken care of that the staffs recommended?

Richard Woodroof stated that everything had been taken care of, except the three things that were brought before the BZA. The BZA said they did meet the condition on this piece of property.

Staff recommendation was for approval with conditions.

Joe Curtsinger made the motion for approval. Frank Wilson seconded the motion. Motion was passed.

Rob Pease stated that he had a question about, the front island. Should there be landscaping?

Roy Dale stated there are no problems to add landscaping there.

Joe Curtsinger withdrew his motion for approval on the Two Way Car Wash back to the floor for amendments. Frank Wilson withdrew his second on the motion.

Rob Pease made the motion to approve the Two Way Car Wash with the following conditions:

- 1.) Adding evergreen shrub to the new island, similar to the one on the southern side.
- 2.) Add a landscape island in the area between the Two Way Parking and parking for the Car Wash. Providing the 24 feet drive aisle to be contained, if possible.

Joe Curtsinger seconded the motion. Motion was passed unanimously.

G.) Questions about the Zoning Ordinance that have surfaced:

1.) In appendix C regarding site plan approval in section 1.2.0 we need different wording. Maybe we add the words "commercial/nonresidential use to clarify. The way this is worded the addition of a room; garage etc. requires a building permit but also requires a site plan. When the site plan requirement is imposed for this "simple" addition, the applicant then must meet the 31 criteria set forth in section 1.4.0 Please advise as to the proper wording to make this reasonable?

Charles Knapper made the motion to approve number one with changes of:

1.10 Single-Family Home. A site plan for a single-family home, or *improvements* thereto, shall be filed with the Mayor or his designee.

1.2.0 Site Plan- All *nonresidential/commercial/industrial* uses or building improvements that require a building permit shall first have a site plan approved by the Planning Commission.

Amend section 1.4.0 as follows:

At the end of first paragraph add a new sentence. "The appropriate filing fee as established by the Town shall be paid." Delete the next two sentences that precede the numbered requirements and insert the following:

A. An existing commercial or industrial building or a building devoted to non-profit community services that is adding not more than 25 percent of the existing floor space or a new commercial or industrial building or a building devoted to non-profit community services that does not exceed 2,500 square feet in size shall file a site plan drawn at a scale of not more than 1"=50' showing the following information:

1. A location key map showing the tract and its relationship to adjoining tracts and the street system.
2. North arrow and scale of drawing.
3. Record owner of the property, architect, engineer or surveyor preparing the plan along with the seal, date and date of any revisions.

4. Location, dimensions, height and setback of all existing and proposed buildings along with square footages.
5. Location and dimensions of any easements on the property.
6. Location and layout of vehicular entrances and parking areas.
7. Location of water and sewer services and means of fire protection.
8. Drainage facilities, erosion control and calculations sufficient to determine if the additional run-off warrants any additional drainage facilities, subject to the approval of the Town Engineer.
9. Contours sufficient to determine slope and positive drainage subject to the approval of the Town Engineer.
10. A landscape drawing showing how the landscaping requirements of the Town will be met.

B. All other buildings shall meet the following requirements:

(Existing numbered requirements for a site plan.)

Bob Haines seconded the motion. Motion passed unanimously.

2.) Section 1.5.0 entitled "preliminary site plan process there is a section that to date has not been required. If required it adds another step in the application/approval process that is redundant. We have used the process of sketch plan, concept plan preliminary plat, and final plat. In essence when we skip this step we technically are not following the ordinance. Since we have used the other process and approved plan this way we need to eliminate this section.

Charles Knapper made the motion to delete section 1.5.0, 1.6.0, 1.7.0, and 1.7.1 in their entirety. Add the following.

1.5.0 - Site Plan Review Process. A site plan as required by the type of development shall be filed as required according to a schedule adopted by the Town. The Town shall perform a preliminary review and provide recommendations for changes, if any, to the designer of record prior to the next regular planning commission meeting. Any changes shall be made prior to the planning commission meeting at which it is to be considered.

The planning commission may act to approve the site plan, approve it subject to conditions as of record or reject the plan. The planning commission may reject the site plan if the plan:

1. fails to meet the standards established by the zoning ordinance or if the Board of Zoning Appeals does not grant any requested variances;
2. substantially increases traffic hazards or congestion due to the location or orientation of curb cuts, the layout of internal circulation or generation of traffic beyond the capacity of the public roadways or intersections;
3. contains a layout of buildings, parking, driveways or utilities that substantially increase fire, health or public safety hazards;

4. contains landscaping that subverts the intended buffering and values of screening uses from roads or neighboring properties; or
5. causes stormwater run-off or pollution to be substantially increased.

Site plan approval shall be valid for a period of six (6) months. If construction has not commenced by that time, re-approval by the planning commission shall be required along with payment of required fees.

Any amendment or change to an approved site plan shall be re-submitted to the planning commission for an appropriate review and action.

All approved plans shall be kept on record at Town Hall.

1.6.0 Reserved.

1.7.0 Reserved.

Bob Haines second the motion and it passed unanimously.

3.) In the bulk regulations tables in each of the zoning districts there are terms "interior/exterior" used in the side yard set backs. When we look at the definition of setbacks on page 26 the graphic in question deals with the setbacks for corner lots. Don Swartz thought we had discussed this and the terms were to be removed since we thought interior /exterior on these corner lots are actually 2 front yards. See front yard definition.

Richard Woodroof stated that he would like to see the definition state if the major road would be the interior setback and the minor road would be the exterior setback. It could be the other way around, whatever the board decides.

Charles Knapper stated that we would correct the drawing on page 26. Add definition for inter/exterior. The direction that the house is facing becomes the front yard. The exterior setback is facing the adjacent street and the inter setback is facing adjacent lot.

5.) In section 5.5.1.N page 17 is the first sentence a "taking" of property. Does it say one can fill the property, but then cannot develop it? Attorneys, do we reword or eliminate?

Rob Pease stated he would suggest looking at neighboring cities; Metro has spent a lot of time talking about this issue. Also what do we want to allow?

Charles Knapper stated that we would discuss this at the workshop.

6.) Appendix B 1.2.1 the sentence requiring the staff may waive the requirement of a licensed landscape architect allows the establishment of a precedence and charges of favoritism may come up. The discussion before was that some individuals with years of

experience produce professionally done drawings , but they are not licensed. Do we need to remove the potential for charge of favoritism?

Bob Haines made the motion to remove the sentence from section 1.2.1 that reads: Staff may waive the requirement for a licensed landscape architect if suitable professional quality landscape drawings are submitted. Rob Pease seconded the motion and it was passed unanimously.

7.) Section 3.4.1 items D and E.

D. States a requirement for sidewalks in every development. There is no requirement for sidewalks in the Sub regs for the OI zone. Thus we need to add language "except OI".

Charles Knapper stated this would be deferred.

Item E --Do we add "when Feasible" or "at the discretion of the town official/planner in interpreting when we require cross-access to adjacent sites through reserved access easements. This allows for interconnectivity between sites and allows movement from area to area without reentering the street again.

Charles Knapper stated this does not need to be changed.

H.) Waggoner Property Plan (County) Review

Richard Woodroof stated the Waggoner Property is in two sections, east and west.

East

- 117.12 acres
- 233 lots
- Density 2.0 units per acre
- Minim lot size 8,000 ft²
- 45.51% open space
- Right-of-way dedication is 17.10 Acres

West

- 137.37 acres
- 194 lots
- Density 1.4 dwelling units per acre
- Minim lot size 20,000 ft²
- 13.93% open space

Richard Woodroof also stated he meet with Joe Horne and Floyd Heflin. They discussed the design of Sunset Road to handle this project and the school. The County is not having them install any improvement at this time.

Charles F. Knapper stated that he has a copy of the traffic impact study for the Waggoner Property. The recommended improvements total estimated cost is \$512,283 for these improvements only:

- Sunset Rd/Nolensville Rd- Signalize and widen intersection \$319,916
- Sunset Rd- Realignment 0.4 miles east of Waller Rd \$69,156
- Sunset Rd- Construct guardrail 1.8 miles east of Waller Rd \$7,945
- Sunset Rd- Realignment 0.2 miles east of Brentwood Limits \$115,266

Charles F. Knapper stated those are the four things they recommend, when the Waggoner Property begins. The county has proposed to collect an impact fee of \$1270.20 per dwelling unit to offset those costs. My proposal will be to take that money and put it in an escrow account so we can use it for improvements. If this project had come before our Planning Commission we would have required the developers to make those improvements. The other improvements they have are:

- Sunset Rd (Nolensville Rd to Waller Rd) widen and add shoulders
- Sunset Rd (Ragsdale Rd to Waller Rd)-widen and add shoulders
- Split Log Rd–Realignment and grade modification 0.1 miles South of Sunset Road
- Split Log Rd-Realignment & grade modification 1.35 miles South of Sunset Road
- Split Log Rd- Grade Modification 0.6 miles south of Sunset
- Split Log Rd (Sam Donald Rd to Sunset Rd) widen and add shoulders

E.) Design Guidelines

Charles F. Knapper stated that the design guidelines would be deferred till the next meeting.

F.) PUD Density Bonus

Charles F. Knapper stated that the PUD Density Bonus would be deferred till the next meeting.

Agenda Item VI. Old Business

A.) Monthly Bond Reports

Richard Woodroof stated there was no bond to report.

Agenda Item VII – Other Business

Frank Wilson stated that Bent Creek has signed a contract on the extension of the realignment of Clovercroft Road. They have also signed for an easement, to bring the 12-inch water line threw there.

Being no further business to come before the Planning Commission the meeting was adjourned at 9:45 P.M.

Larry Gardner
Secretary for the Planning Commission

Date